PROOF

STATE OF IOWA

House Journal

TUESDAY, MARCH 22, 2011

Produced daily by the State of Iowa during the sessions of the General Assembly. (The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

Seventy-second Calendar Day - Fiftieth Session Day

Hall of the House of Representatives Des Moines, Iowa, Tuesday, March 22, 2011

The House met pursuant to adjournment at 8:34 a.m., Kaufmann of Cedar in the chair.

Prayer was offered by Pastor Verlyn Boone from First Reformed Church, Hull. He was the guest of Representative Alons of Sioux County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Conner Archer, Page from St. Charles.

The Journal of Monday, March 21, 2011 was approved.

SPECIAL PRESENTATION

Van Engelenhoven of Marion presented to the House, the Queen of the 2011 Pella Tulip Festival and her court.

The House rose and expressed its welcome.

Speaker Paulsen in the chair at 8:50 a.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Brandenburg of Pottawattamie and Windschitl of Harrison on request of Upmeyer of Hancock.

<u>House Joint Resolution 16</u>, a joint resolution relating to the placement of a statue in the United States capitol honoring Dr. Norman E. Borlaug, was taken up for consideration.

Upmeyer of Hancock moved that the joint resolution be read a last

time now and placed upon its adoption and the joint resolution was read a last time.

On the question "Shall the joint resolution be adopted and agreed to?" ($\underline{H.J.R.\ 16}$)

The yeas were, 76:

Abdul-Samad	Arnold	Baltimore	Baudler
Byrnes	Chambers	Cohoon	Cownie
Dolecheck	Drake	Forristall	Gaines
Garrett	Gaskill	Grassley	Hagenow
Hager	Hall	Hanson	Hanusa
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhart	Iverson
Jacoby	Jorgensen	Kajtazovic	Kearns
Kelley	Koester	Lensing	Lofgren
Lukan	Lykam	Mascher	McCarthy
Miller, H.	Miller, L.	Muhlbauer	Murphy
Oldson	Olson, S.	Olson, T.	Paustian
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Running-Marquardt	Schultz
Smith, J.	Smith, M.	Soderberg	Steckman
Sweeney	Taylor, J.	Taylor, T.	Thede
Tjepkes	Upmeyer	Van Engelenhoven	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe	Worthan	Mr. Speaker
			Paulsen

The nays were, 12:

Deyoe	Fry	Heaton	Kaufmann
Massie	Moore	Pearson	Rogers
Sands	Shaw	Vander Linden	Wagner

Absent or not voting, 12:

Alons	Anderson	Berry	Brandenburg
De Boef	Klein	Kressig	Olson, R.
Schulte	Swaim	Thomas	Windschitl

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 21, 2011, passed the following bill in which the concurrence of the Senate was asked:

House File 245, a bill for an act relating to the status of posthumously conceived and born children in the context of legitimacy, inheritance, rights to claim an afterborn child's share, and other rights.

Also: That the Senate has on March 21, 2011, passed the following bill in which the concurrence of the Senate was asked:

<u>House File 453</u>, a bill for an act relating to the regulation of egg production, and including effective date provisions.

Also: That the Senate has on March 21, 2011, adopted the following resolution in which the concurrence of the Senate was asked:

<u>House Concurrent Resolution 12</u>, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Eighty-fourth General Assembly.

Also: That the Senate has on March 21, 2011, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 312</u>, a bill for an act concerning special motor vehicle registration plates, including registration plates issued for business-trade trucks and special trucks, creating new combat infantryman badge, combat action badge, combat action ribbon, and combat medical badge registration plates, and including effective date and applicability provisions.

Also: That the Senate has on March 21, 2011, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 397</u>, a bill for an act creating a criminal offense for impersonating a decorated military veteran and providing penalties.

Also: That the Senate has on March 21, 2011, passed the following bill in which the concurrence of the House is asked:

Senate File 471, a bill for an act relating to the review of administrative rules and application processes.

Also: That the Senate has on March 21, 2011, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 480</u>, a bill for an act relating to health care and policy, and health care infrastructure and integration of public and private programs, and related matters, and including effective date provisions.

Also: That the Senate has on March 21, 2011, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 497</u>, a bill for an act establishing a home inspector registration program, providing penalties, and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

On motion by Upmeyer of Hancock, the House was recessed at 8:55 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:04 p.m., Speaker Paulsen in the chair.

INTRODUCTION OF BILL

<u>House File 650</u>, by Sands, a bill for an act providing a sales tax exemption for the sales price from the sale of certain items to the operator of a vehicle wash and wax facility.

Read first time and referred to committee on ways and means.

SENATE MESSAGES CONSIDERED

Senate File 312, by committee on transportation, a bill for an act concerning special motor vehicle registration plates, including registration plates issued for business-trade trucks and special trucks, creating new combat infantryman badge, combat action badge, combat action ribbon, and combat medical badge registration plates, and including effective date and applicability provisions.

Read first time and referred to committee on transportation.

<u>Senate File 397</u>, by committee on veterans affairs, a bill for an act creating a criminal offense for impersonating a decorated military veteran and providing penalties.

Read first time and referred to committee on veterans affairs.

Senate File 480, by committee on human resources, a bill for an act relating to health care and policy, and health care infrastructure and integration of public and private programs, and related matters, and including effective date provisions.

Read first time and referred to committee on human resources.

<u>Senate File 497</u>, by committee on state government, a bill for an act establishing a home inspector registration program, providing penalties, and including effective date provisions.

Read first time and referred to committee on state government.

Senate File 508, by committee on appropriations, a bill for an act relating to state and local financial matters by revising certain appropriations and appropriating federal funds made available from federal block grants and other nonstate sources, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

Read first time and referred to committee on appropriations.

Senate File 509, by committee on appropriations, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions.

Read first time and referred to committee on appropriations.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-five members present, fifteen absent.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Baltimore of Boone and Hager of Allamakee on request of Upmeyer of Hancock.

CONSIDERATION OF BILLS Regular Calendar

House File 182, a bill for an act relating to mental health and substance abuse histories conducted in a presentence investigation

report and the standards for release on probation in a criminal proceeding, was taken up for consideration.

Hagenow of Polk offered amendment $\underline{\text{H--}1085}$ filed by him and moved its adoption.

Amendment <u>H-1085</u> was adopted.

SENATE FILE 259 SUBSTITUTED FOR HOUSE FILE 182

Hagenow of Polk asked and received unanimous consent to substitute Senate File 259 for House File 182.

Senate File 259, a bill for an act relating to mental health and substance abuse histories conducted in a presentence investigation report and the standards for release on probation in a criminal proceeding, was taken up for consideration.

Hagenow of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 259)

The ayes were, 97:

Abdul-Samad Alons Anderson Arnold Baudler Berry Byrnes Chambers Cohoon Cownie De Boef Devoe Dolecheck Drake Forristall Fry Gaines Garrett Gaskill Grassley Hagenow Hall Hanson Hanusa Helland Heaton Heddens Hein Horbach Huseman Isenhart Hunter Iverson Jacoby Jorgensen Kajtazovic Kaufmann Kearns Kelley Klein Koester Kressig Lensing Lofgren Lukan Lykam Mascher Massie Miller, H. Moore McCarthy Miller, L. Muhlbauer Murphy Oldson Olson, R. Olson, S. Olson, T. Paustian Pearson Pettengill Raecker Petersen Quirk Rayhons Rogers Rasmussen Running-Marquardt Sands Schulte Schultz Shaw Smith, J. Smith, M. Soderberg Steckman Sweeney Taylor, J. Taylor, T. Swaim

Thede Thomas **Tjepkes** Upmeyer Van Engelenhoven Vander Linden Wagner Watts Wessel-Kroeschell Willems Winckler Wenthe Windschitl Wolfe Worthan Wittneben

Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 3:

Baltimore Brandenburg Hager

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 182 WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House File 182 from further consideration by the House.

<u>House File 244</u>, a bill for an act relating to the release and satisfaction of judgments, was taken up for consideration.

Pearson of Polk offered amendment $\underline{\text{H--}1393}$ filed by her and moved its adoption.

Amendment $\underline{H-1393}$ was adopted.

SENATE FILE 244 SUBSTITUTED FOR HOUSE FILE 244

Pearson of Polk asked and received unanimous consent to substitute Senate File 244 for House File 244.

Senate File 244, a bill for an act relating to the release and satisfaction of judgments, was taken up for consideration.

Pearson of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 244)

The ayes were, 97:

Abdul-Samad Alons Anderson Arnold Byrnes Chambers Baudler Berry Cohoon Cownie De Boef Deyoe Dolecheck Drake Forristall FryGarrett Gaskill Grassley Gaines Hagenow Hall Hanson Hanusa Heaton Heddens Hein Helland Horbach Hunter Huseman Isenhart Iverson Jacoby Jorgensen Kajtazovic Kaufmann Kearns Kelley Klein Koester Kressig Lensing Lofgren Lukan Lykam Mascher Massie McCarthy Moore Miller, H. Miller, L. Muhlbauer Murphy Oldson Olson, R. Olson, T. Paustian Olson, S. Pearson Petersen Pettengill Quirk Raecker Rasmussen Rayhons Rogers Running-Marquardt Sands Schulte Schultz Shaw Smith, J. Smith, M. Soderberg Steckman Taylor, T. Swaim Sweeney Taylor, J. Thede Thomas **Tjepkes** Upmeyer Van Engelenhoven Vander Linden Wagner Watts Winckler Wenthe Wessel-Kroeschell Willems Windschitl Wittneben Wolfe Worthan Mr. Speaker

Paulsen

The nays were, none.

Absent or not voting, 3:

Baltimore Brandenburg Hager

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 244 WITHDRAWN

Pearson of Polk asked and received unanimous consent to withdraw House File 244 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lukan of Dubuque, until his return, on request of Upmeyer of Hancock.

House File 466, a bill for an act allowing the department of transportation to accept reports from advanced registered nurse practitioners and physician assistants disclosing a physical or mental condition that renders a person incompetent to operate a motor vehicle, was taken up for consideration.

SENATE FILE 149 SUBSTITUTED FOR HOUSE FILE 466

Massie of Warren asked and received unanimous consent to substitute Senate File 149 for House File 466.

Senate File 149, a bill for an act allowing the department of transportation to accept reports from advanced registered nurse practitioners and physician assistants disclosing a physical or mental condition that renders a person incompetent to operate a motor vehicle, was taken up for consideration.

Massie of Warren moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 149)

The ayes were, 95:

Abdul-Samad Baudler Cohoon Dolecheck Gaines Hagenow Heaton Horbach	Alons Berry Cownie Drake Garrett Hall Heddens Hunter	Anderson Byrnes De Boef Forristall Gaskill Hanson Hein Huseman	Arnold Chambers Deyoe Fry Grassley Hanusa Helland Isenhart
Gaines	Garrett	Gaskill	Grassley
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lofgren	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden

Paulsen

Wagner Watts Wenthe Wessel-Kroeschell
Willems Winckler Windschitl Wittneben
Wolfe Worthan Mr. Speaker

The nays were, none.

Absent or not voting, 5:

Baltimore Brandenburg Hager Lensing

Lukan

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 466 WITHDRAWN

Massie of Warren asked and received unanimous consent to withdraw House File 466 from further consideration by the House.

<u>House File 516</u>, a bill for an act relating to the construction of subdivision improvements and certain notice requirements, was taken up for consideration.

Wagner of Linn offered amendment $\underline{H-1369}$ filed by him and Wittneben of Emmet.

Amendment H-1369 was adopted.

Wagner of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 516)

The ayes were, 96:

Abdul-Samad Alons Anderson Arnold Baudler Byrnes Chambers Berry Cohoon Cownie De Boef Deyoe Dolecheck Drake Forristall Fry Gaines Garrett Gaskill Grassley Hagenow Hall Hanson Hanusa Heaton Heddens Hein Helland Horbach Hunter Isenhart Huseman Iverson Jacoby Jorgensen Kajtazovic

Klein Kaufmann Kearns Kelley Koester Kressig Lensing Lofgren $\bar{\text{McCarthy}}$ Lykam Mascher Massie Miller, H. Miller, L. Muhlbauer Moore Murphy Oldson Olson, R. Olson, S. Olson, T. Paustian Petersen Pearson Pettengill Quirk Raecker Rasmussen Rayhons Rogers Running-Marquardt Sands Schulte Smith, J. Schultz Shaw Smith, M. Soderberg Steckman Swaim Sweeney Taylor, J. Taylor, T. Thede Thomas Tjepkes Upmeyer Van Engelenhoven Vander Linden Wagner Watts Wenthe Wessel-Kroeschell Willems Winckler Windschitl Mr. Speaker Wittneben Wolfe Worthan Paulsen

The nays were, none.

Absent or not voting, 4:

Baltimore Brandenburg Hager Lukan

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

<u>House File 518</u>, a bill for an act relating to the disposition of a child with mental illness or mental retardation in juvenile court, was taken up for consideration.

SENATE FILE 327 SUBSTITUTED FOR HOUSE FILE 518

Pearson of Polk asked and received unanimous consent to substitute Senate File 327 for House File 518.

<u>Senate File 327</u>, a bill for an act relating to the disposition of a child with mental illness or mental retardation in juvenile court, was taken up for consideration.

Pearson of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 327)

The ayes were, 90:

Abdul-Samad Alons Anderson Arnold Baudler Berry Byrnes Chambers Cownie De Boef CohoonDeyoe Dolecheck Drake Forristall Fry Gaines Garrett Gaskill Grassley Hagenow Hall Hanson Hanusa Heaton Heddens Hein Helland Horbach Isenhart Hunter Huseman Iverson Jacoby Jorgensen Kajtazovic Kaufmann Kearns Kelley Klein Koester Kressig Lensing Lofgren Lykam Mascher Massie McCarthy Miller, H. Miller, L. Moore Muhlbauer Oldson Olson, R. Olson, T. Paustian Pearson Petersen Pettengill Quirk Raecker Rayhons Rogers Rasmussen Running-Marquardt Sands Schulte Schultz Shaw Smith, J. Smith, M. Soderberg Taylor, T. Swaim Sweeney Taylor, J. Thede Van Engelenhoven Thomas Tjepkes Vander Linden Wessel-KroeschellWagner Wenthe Willems Winckler Windschitl Wittneben Worthan Mr. Speaker

The nays were, 1:

Wolfe

Absent or not voting, 9:

Paulsen

Baltimore Brandenburg Hager Lukan Murphy Olson, S. Steckman Upmeyer

Watts

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 518 WITHDRAWN

Pearson of Polk asked and received unanimous consent to withdraw <u>House File 518</u> from further consideration by the House.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: <u>House Joint Resolution 16</u> and <u>House File 516</u> and <u>Senate Files 149</u>, 244, 259 and 327.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 22, 2011, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 512</u>, a bill for an act making supplemental appropriations for the fiscal year beginning July 1, 2010, for the state public defender and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

<u>House File 534</u>, a bill for an act relating to school instructional hours and school instructional days and including effective date provisions, was taken up for consideration.

J. Taylor of Woodbury offered amendment $\underline{H-1388}$ filed by him and moved its adoption.

A non-record roll call was requested.

The ayes were 53, nays 31.

Amendment <u>H-1388</u> was adopted.

J. Taylor of Woodbury moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 534)

The ayes were, 62:

Alons Anderson Arnold Baudler Byrnes Chambers Cownie De Boef Deyoe Dolecheck Drake Forristall FryGarrett Grassley Hagenow Hanusa Heaton Hein Helland Horbach Huseman Isenhart Iverson Lofgren Jorgensen Klein Koester Massie McCarthy Miller, L. Moore Muhlbauer Olson, S. Pearson Paustian Quirk Pettengill Raecker Rasmussen Rayhons Rogers Sands Schulte Schultz Smith, J. Soderberg Shaw Swaim Sweeney Taylor, J. Thomas **Tjepkes** Vander Linden Van Engelenhoven Upmeyer Wagner Watts Willems Windschitl Worthan Mr. Speaker

Worthan Mr. Speakei Paulsen

The nays were, 33:

Abdul-Samad Berry Cohoon Gaines Gaskill Hall Hanson Heddens Jacoby Hunter Kearns Kajtazovic Kelley Kressig Lensing Lykam Mascher Miller, H. Murphy Oldson Olson, R. Olson, T. Petersen Running-Marquardt Smith, M. Steckman Taylor, T. Thede

Wenthe Wessel-Kroeschell Winckler Wittneben

Wolfe

Absent or not voting, 5:

Baltimore Brandenburg Hager Kaufmann

Lukan

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 144 WITHDRAWN

J. Taylor of Woodbury asked and received unanimous consent to withdraw House File 144 from further consideration by the House.

<u>House File 566</u>, a bill for an act relating to nonsubstantive Code corrections and including effective date and retroactive applicability provisions, was taken up for consideration.

Anderson of Page offered amendment <u>H-1193</u> filed by the committee on judiciary and moved its adoption.

The committee amendment <u>H-1193</u> was adopted.

SENATE FILE 474 SUBSTITUTED FOR HOUSE FILE 566

Massie of Warren asked and received unanimous consent to substitute Senate File 474 for House File 566.

<u>Senate File 474</u>, a bill for an act relating to nonsubstantive Code corrections and including effective date and retroactive applicability provisions, was taken up for consideration.

Massie of Warren moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 474)

The ayes were, 95:

Abdul-Samad Alons Anderson Arnold Baudler Chambers Berry Byrnes Cohoon Cownie De Boef Deyoe Dolecheck Drake Forristall Fry Gaines Garrett Gaskill Grassley Hagenow Hall Hanson Hanusa Heaton Heddens Helland Hein Horbach Hunter Huseman Isenhart Iverson Jacoby Jorgensen Kajtazovic Kaufmann Kearns Kelley Klein Koester Kressig Lensing Lofgren Lykam Mascher McCarthy Massie Muhlbauer Miller, H. Miller, L. Moore Murphy Oldson Olson, R. Olson, S. Olson, T. Paustian Pearson Petersen Pettengill Quirk Raecker Rasmussen Rayhons Rogers Running-Marquardt Sands Schulte Smith, J. Schultz Shaw Smith, M. Soderberg Steckman Swaim Thede Sweeney Taylor, J. Taylor, T. Tjepkes Thomas Upmeyer Van Engelenhoven Vander Linden Wagner Watts Wenthe Wessel-Kroeschell Winckler Windschitl Wittneben Wolfe Worthan Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 5:

Baltimore Brandenburg Hager Lukan Willems

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 566 WITHDRAWN

Massie of Warren asked and received unanimous consent to withdraw <u>House File 566</u> from further consideration by the House.

Cownie of Polk in the chair at 2:01 p.m.

<u>House File 586</u>, a bill for an act relating to the duties and operations of the state's community colleges, was taken up for consideration.

Running-Marquardt of Linn offered amendment $\underline{H-1366}$ filed by her.

Helland of Polk rose on a point of order that amendment $\underline{H-1366}$ was not germane.

The Speaker ruled the point well taken and amendment $\underline{H-1366}$ not germane.

SENATE FILE 470 SUBSTITUTED FOR HOUSE FILE 586

Byrnes of Mitchell asked and received unanimous consent to substitute Senate File 470 for House File 586.

Senate File 470, a bill for an act relating to the duties and operations of the state's community colleges, was taken up for consideration.

Byrnes of Mitchell offered amendment $\underline{\text{H-}1401}$ filed by him and moved its adoption.

Amendment <u>H-1401</u> was adopted.

Running-Marquardt of Linn offered amendment $\underline{\text{H-}1390}$ filed by her.

The Speaker ruled amendment $\underline{H-1390}$ filed by Running-Marquardt of Linn not germane.

Byrnes of Mitchell moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 470)

The ayes were, 93:

Abdul-Samad Alons Anderson Arnold Baudler Berry Byrnes Chambers Cohoon De Boef Dolecheck Deyoe Drake Forristall Fry Gaines Gaskill Grassley Hagenow Garrett Hall Hanson Hanusa Heaton Heddens Hein Helland Horbach Hunter Isenhart Huseman Iverson Jacoby Jorgensen Kajtazovic Kearns Kelley Klein Koester Lensing Lofgren Lykam Mascher Massie McCarthy Miller, H. Miller, L. Moore Muhlbauer Murphy Oldson Olson, R. Paulsen, Spkr. Paustian Olson, S. Olson, T. Pearson Quirk Petersen Pettengill Raecker Rasmussen Rayhons Rogers Running-Marquardt Sands Schulte Schultz Shaw Smith, J. Smith, M. Soderberg Steckman Taylor, J. Swaim Sweeney Taylor, T. Thede Thomas Tjepkes Upmeyer Van Engelenhoven Vander Linden Wagner Winckler Watts Wessel-Kroeschell Wenthe Windschitl Wittneben Wolfe Worthan Cownie, Presiding

The nays were, none.

Absent or not voting, 7:

Baltimore Brandenburg Hager Kaufmann Kressig Lukan Willems The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 586 WITHDRAWN

Byrnes of Mitchell asked and received unanimous consent to withdraw <u>House File 586</u> from further consideration by the House.

Upmeyer of Hancock asked and received unanimous consent that $\underline{\text{House File }603}$ be deferred and that the bill retain its place on the calendar.

<u>House File 523</u>, a bill for an act relating to employer credits for overpayments of weekly workers' compensation benefits, was taken up for consideration.

Horbach of Tama offered amendment $\underline{H-1236}$ filed by him and moved its adoption.

Amendment H-1236 was adopted.

Horbach of Tama moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 523)

The ayes were, 61:

Alons	Anderson	Anderson Arnold	
Byrnes	Chambers	De Boef	Deyoe
Dolecheck	Drake	Forristall	Fry
Garrett	Grassley	Hagenow	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Iverson	Jorgensen	Kaufmann
Klein	Koester	Lofgren	Lukan
Massie	Miller, L.	Moore	Muhlbauer
Olson, S.	Paulsen, Spkr.	Paustian	Pearson
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Sweeney	Taylor, J.	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Windschitl	Worthan
Cownie,			
Presiding			

The nays were, 34:

Abdul-Samad Berry Cohoon Gaines Heddens Gaskill Hall Hanson Hunter Isenhart Jacoby Kajtazovic Kelley Kearns Kressig Lensing Lykam Mascher Miller, H. Oldson Olson, R. Olson, T. Petersen Running-Marquardt

Steckman Swaim Taylor, T. Thede Wenthe Wessel-Kroeschell Willems Winckler

Wittneben Wolfe

Absent or not voting, 5:

Baltimore Brandenburg Hager McCarthy

Murphy

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 215 WITHDRAWN

Horbach of Tama asked and received unanimous consent to withdraw <u>House File 215</u> from further consideration by the House.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 523, 534** and **Senate Files 470** and **474**.

The House stood at ease at 2:25 p.m., until the fall of the gavel.

The House resumed session at 3:37 p.m., Speaker Paulsen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Koester of Polk, until his return, on request of Deyoe of Story.

House File 460, a bill for an act relating to the discovery of privileged medical records, including mental health records, in a

criminal case and including effective date provisions, was taken up for consideration.

SENATE FILE 291 SUBSTITUTED FOR HOUSE FILE 460

Baltimore of Boone asked and received unanimous consent to substitute Senate File 291 for House File 460.

Senate File 291, a bill for an act relating to the discovery of privileged medical records, including mental health records, in a criminal case and including effective date provisions, was taken up for consideration.

Wolfe of Clinton offered amendment $\underline{H-1367}$ filed by her and moved its adoption.

Amendment H-1367 lost.

Baltimore of Boone moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 291)

The ayes were, 87:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler Berry		Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Huseman	Isenhart
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lofgren	Lukan
Lykam	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Oldson
Olson, S.	Olson, T.	Paustian	Pearson
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Taylor, J.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden

Wagner Watts Wenthe Windschitl

Wittneben Worthan Mr. Speaker Paulsen

The nays were, 11:

Hunter Lensing Mascher Murphy

Olson, R. Petersen Taylor, T. Wessel-Kroeschell Willems Winckler Wolfe

Absent or not voting, 2:

Brandenburg Hager

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 460 WITHDRAWN

Baltimore of Boone asked and received unanimous consent to withdraw House File 460 from further consideration by the House.

House File 517, a bill for an act relating to the conveyance or encumbrance of a homestead by a spouse, was taken up for consideration.

Baltimore of Boone offered amendment $\underline{\text{H-}1368}$ filed by him and moved its adoption.

Amendment H-1368 was adopted.

SENATE FILE 400 SUBSTITUTED FOR HOUSE FILE 517

Baltimore of Boone asked and received unanimous consent to substitute <u>Senate File 400</u> for <u>House File 517</u>.

<u>Senate File 400</u>, a bill for an act relating to the conveyance or encumbrance of a homestead by a spouse, was taken up for consideration.

Baltimore of Boone moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 400)

The ayes were, 94:

Abdul-Samad Anderson Arnold Alons Baltimore Berry Byrnes Chambers Cohoon Cownie De Boef Deyoe Dolecheck Drake Gaines Fry Grassley Gaskill Hagenow Hall Hanson Hanusa Heaton Heddens Helland Hein Horbach Hunter Huseman Isenhart Iverson Jacoby Jorgensen Kajtazovic Kaufmann Kearns Kelley Klein Koester Kressig Lensing Lofgren Lukan Lykam Miller, H. Mascher Massie McCarthy Miller, L. Moore Muhlbauer Murphy Oldson Olson, R. Olson, S. Olson, T. Paustian Pettengill Pearson Petersen Quirk Raecker Rasmussen Rayhons Rogers Running-Marquardt Sands Schulte Schultz Shaw Smith, J. Smith, M. Soderberg Steckman Swaim Sweeney Taylor, J. Taylor, T. Thede Thomas Tjepkes Upmeyer Van Engelenhoven Wagner Watts Wessel-Kroeschell Wenthe Willems Winckler Windschitl Wittneben Wolfe Mr. Speaker Worthan Paulsen

The navs were, 3:

Baudler Forristall Vander Linden

Absent or not voting, 3:

Brandenburg Garrett Hager

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 517 WITHDRAWN

Baltimore of Boone asked and received unanimous consent to withdraw <u>House File 517</u> from further consideration by the House.

House File 603, a bill for an act relating to eminent domain authority and procedures and including effective date and

applicability provisions, previously deferred, was taken up for consideration.

Kaufmann of Cedar offered amendment <u>H-1406</u> filed by him.

Kaufmann of Cedar offered amendment $\underline{H-1413}$, to amendment $\underline{H-1406}$, filed by him from the floor and moved its adoption.

Under the provision of Rule 76, conflict of interest, Fry of Clarke refrained from voting.

Amendment H-1413, to amendment H-1406, was adopted.

Kaufmann of Cedar offered amendment $\underline{H-1420}$, to amendment $\underline{H-1406}$, filed by him from the floor and moved its adoption.

Under the provision of Rule 76, conflict of interest, Fry of Clarke refrained from voting.

Amendment $\underline{H-1420}$, to amendment $\underline{H-1406}$, was adopted.

Kaufmann of Cedar moved amendment <u>H-1406</u>, as amended.

Under the provision of Rule 76, conflict of interest, Fry of Clarke refrained from voting.

Amendment H-1406, as amended, was adopted.

Kaufmann of Cedar asked and received unanimous consent to withdraw amendment H-1400 filed by him on March 21, 2011.

Kaufmann of Cedar moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 603)

The ayes were, 91:

Arnold Baltimore Alons Anderson Baudler Byrnes Berry Chambers Cohoon Cownie De Boef Deyoe Dolecheck Drake Forristall Gaines

Gaskill Garrett Grassley Hagenow Hall Hanson Hanusa Heaton Horbach Heddens Hein Helland Jorgensen Hunter Huseman **Isenhart** Kajtazovic Kaufmann Kearns Kelley Lofgren Klein Koester Kressig Lykam McCarthy Lukan Massie Miller, H. Miller, L. Moore Muhlbauer Olson, S. Olson, T. Olson, R. Oldson Paustian Pearson Petersen Pettengill Quirk Rayhons Raecker Rasmussen Rogers Running-Marquardt Sands Schulte Schultz Shaw Smith, J. Smith, M. Soderberg Steckman Sweeney Swaim Taylor, J. Taylor, T. Thede Thomas Tjepkes Upmeyer Van Engelenhoven Vander Linden Wessel-Kroeschell Wagner Watts Wenthe Willems Winckler Windschitl Wittneben Wolfe Worthan Mr. Speaker Paulsen

The nays were, 6:

Abdul-Samad Iverson Jacoby Lensing

Mascher Murphy

Absent or not voting, 2:

Brandenburg Hager

Under the provision of Rule 76, conflict of interest, Fry of Clarke refrained from voting.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 619, a bill for an act relating to games of skill and chance conducted by qualified organizations, including by allowing qualified organizations to lease electronic bingo equipment in order to assist disabled participants, was taken up for consideration.

Iverson of Wright offered amendment $\underline{H-1398}$ filed by him and moved its adoption.

Amendment <u>H-1398</u> was adopted.

SENATE FILE 427 SUBSTITUTED FOR HOUSE FILE 619

Iverson of Wright asked and received unanimous consent to substitute <u>Senate File 427</u> for <u>House File 619</u>.

<u>Senate File 427</u>, a bill for an act allowing qualified organizations to lease certain electronic bingo equipment in order to assist disabled participants, was taken up for consideration.

Iverson of Wright offered amendment $\underline{H-1397}$ filed by him and moved its adoption.

Amendment $\underline{H-1397}$ was adopted.

Iverson of Wright moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 427)

The ayes were, 92:

Abdul-Samad Anderson Arnold Baltimore Baudler Berry Byrnes Chambers Cohoon Cownie De Boef Deyoe Dolecheck Forristall Drake Fry Gaskill Gaines Garrett Grassley Hagenow Hall Hanson Hanusa Heaton Heddens Hein Helland Horbach Hunter Huseman Isenhart Iverson Jacoby Jorgensen Kajtazovic Kaufmann Kearns Klein Koester Lensing Kressig Lofgren Lukan McCarthy Lykam Mascher Massie Miller, H. Miller, L. Moore Muhlbauer Murphy Oldson Olson, R. Olson, S. Olson, T. Paustian Pearson Petersen Quirk Rasmussen Ravhons Rogers Sands Schulte Schultz Shaw Smith, J. Smith, M. Steckman Soderberg Sweeney Taylor, J. Taylor, T. Thede Tjepkes Thomas Upmeyer Van Engelenhoven Watts Vander Linden Wenthe Wagner Wessel-Kroeschell Willems Winckler Windschitl Wittneben Wolfe Worthan Mr. Speaker Paulsen

The nays were, 6:

Alons Kelley Pettengill Raecker

Running-Marquardt Swaim

Absent or not voting, 2:

Brandenburg Hager

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

HOUSE FILE 619 WITHDRAWN

Iverson of Wright asked and received unanimous consent to withdraw <u>House File 619</u> from further consideration by the House.

HOUSE FILE 64 WITHDRAWN

Kaufmann of Cedar asked and received unanimous consent to withdraw <u>House File 64</u> from further consideration by the House.

<u>Senate File 7</u>, a bill for an act providing for a .08 blood alcohol limit for motorboat or sailboat operating while intoxicated offenses, with report of committee recommending passage, was taken up for consideration.

Windschitl of Harrison in the chair at 5:01 p.m.

R. Olson of Polk offered amendment $\underline{H-1404}$ filed by him and Horbach of Tama.

Speaker Paulsen in the chair at 5:02 p.m.

The House stood at ease at 5:03 p.m., until the fall of the gavel.

The House resumed session at 5:24 p.m., Speaker Paulsen in the chair.

R. Olson of Polk asked and received unanimous consent to withdraw amendment $\underline{H-1421}$, to amendment $\underline{H-1404}$, filed by him and Horbach of Tama from the floor.

R. Olson of Polk offered amendment $\underline{H-1431}$, to amendment H-1404, filed by him and Horbach of Tama from the floor.

Amendment <u>H-1431</u> to amendment <u>H-1404</u> was adopted.

R. Olson of Polk moved amendment H-1404, as amended.

Amendment H-1404, as amended, was adopted.

J. Smith of Dickinson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 7)

The ayes were, 97:

Abdul-Samad Anderson Arnold Alons Baltimore Baudler Berry Byrnes De Boef Chambers Cohoon Cownie Deyoe Dolecheck Drake Forristall Garrett Gaskill Fry Gaines Grassley Hagenow Hall Hanson Hanusa Heaton Heddens Hein Helland Huseman Horbach Hunter Jorgensen Isenhart Iverson Jacoby Kajtazovic Kaufmann Kearns Kelley Klein Koester Kressig Lensing Mascher Lofgren Lukan Lykam Massie McCarthy Miller, H. Miller, L. Moore Muhlbauer Murphy Oldson Olson, R. Olson, S. Olson, T. Paustian Pettengill Quirk Pearson Petersen Raecker Rasmussen Rayhons Rogers Running-Marquardt Schulte Schultz Shaw Steckman Smith, J. Smith, M. Soderberg Swaim Sweeney Taylor, J. Taylor, T. Thede Thomas **Tjepkes** Upmeyer Vander Linden Van Engelenhoven Watts Wagner Wessel-Kroeschell Willems Winckler Wenthe Windschitl Wittneben Wolfe Worthan Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 3:

Brandenburg

Hager

Sands

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: <u>House</u> <u>File 603</u> and **Senate Files 7, 291, 400** and 427.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 22, 2011, adopted the following resolution in which the concurrence of the Senate was asked:

<u>House Joint Resolution 16</u>, a joint resolution relating to the placement of a statue in the United States capitol honoring Dr. Norman E. Borlaug.

Also: That the Senate has on March 22, 2011, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 396</u>, a bill for an act relating to the regulation of indemnification provisions in construction contracts.

MICHAEL E. MARSHALL, Secretary

SENATE FILE 233 REREFERRED

The Speaker announced that <u>Senate File 233</u>, previously referred to committee on **human resources** was **passed on file**.

SUBCOMMITTEE ASSIGNMENTS

House File 56 Reassigned

Ways and Means: Vander Linden, Chair; Kearns and Pettengill.

House File 388 Reassigned

Ways and Means: Vander Linden, Chair; Hein and Kajtazovic.

Senate File 301

Economic Growth/Rebuild Iowa: Schultz, Chair; De Boef and Hall.

Senate File 508

Appropriations: Rogers, Chair; Heaton and Wenthe.

Senate File 509 (Committee of the Whole)

Appropriations: Drake, Chair; Chambers, Cohoon, Dolecheck, Garrett, Gaskill, Hagenow, Hall, Heaton, Heddens, Huseman, Lukan, Murphy, T. Olson, Raecker, Rogers, Running-Marquardt, Schulte, Schultz, T. Taylor, Wagner, Watts, Wenthe, Winckler and Worthan.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 222

Ways and Means: Helland, Chair; Isenhart and Vander Linden.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 223 Ways and Means

Relating to the tax rates imposed on certain gambling establishments and corporations and including retroactive applicability provisions.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

W. CHARLES SMITHSON Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly <u>House File 463</u>), providing for a special civil war sesquicentennial motor vehicle registration plate, establishing fees, and making an appropriation.

Fiscal Note is not required.

Recommended Do Pass March 22, 2011.

COMMITTEE ON EDUCATION

<u>Senate File 445</u>, a bill for an act relating to state and local government recommendations concerning the educational needs of children who are deaf or hard-of-hearing.

Fiscal Note is not required.

Recommended Do Pass March 21, 2011.

COMMITTEE ON HUMAN RESOURCES

Senate File 286, a bill for an act relating to the Iowa prescription monitoring program and including an effective date provision.

Fiscal Note is not required.

Recommended Do Pass March 21, 2011.

COMMITTEE ON VETERANS AFFAIRS

<u>Senate File 389</u>, a bill for an act relating to the nonreversion of funds appropriated to the national guard educational assistance program and including effective date and retroactive applicability provisions.

Fiscal Note is not required.

Recommended Do Pass March 17, 2011.

<u>Senate File 399</u>, a bill for an act regulating the advertising of veterans benefits appeal services by requiring certain disclosures and including a civil penalty.

Fiscal Note is not required.

Recommended Do Pass March 21, 2011.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly <u>House File 141</u>), providing an exemption from the computation of the individual state income tax of all pay received for active duty military service and including retroactive applicability provisions.

Fiscal Note is not required.

Recommended Do Pass March 22, 2011.

Committee Bill (Formerly <u>House File 211</u>), related to moneys administered by the board of trustees of a drainage or levee district.

Fiscal Note is not required.

Recommended Amend and Do Pass March 22, 2011.

Committee Bill (Formerly <u>House File 300</u>), relating to the assessment of certain subdivided real property and including applicability provisions.

Fiscal Note is not required.

Recommended Amend and Do Pass March 22, 2011.

Committee Bill (Formerly <u>House Study Bill 215</u>), relating to the assessment and taxation of qualifying local exchange carrier property.

Fiscal Note is not required.

Recommended Amend and Do Pass March 22, 2011.

AMENDMENTS FILED

H-1407	H.F.	597	Pettengill of Benton
H-1408	H.F.	482	Pettengill of Benton
H-1409	H.F.	590	H. Miller of Webster
H-1410	H.F.	623	Heddens of Story
H-1411	S.F.	361	Cownie of Polk
$\overline{\text{H-}1412}$	H.F.	590	Running-Marquardt of Linn
H-1414	H.F.	590	Willems of Linn
H-1415	H.F.	590	Thomas of Clayton
H-1416	H.F.	590	Thomas of Clayton
$\overline{\text{H-}1417}$	H.F.	649	M. Smith of Marshall
H-1418	H.F.	500	Isenhart of Dubuque
H-1419	H.F.	482	Pettengill of Benton
$\overline{\text{H-}1422}$	H.F.	561	Kelley of Jasper
Thede of	Scott		Wessel-Kroeschell of Story
Gaines of	Polk		Winckler of Scott
Lensing o	of Johnson		Steckman of Cerro Gordo
	of Dubuque		
H-1423	H.F.	613	Wagner of Linn
$\overline{\text{H-}1424}$	H.F.	646	Gaskill of Wapello
H-1425	H.F.	646	Gaskill of Wapello
H-1426	H.F.	646	Heddens of Story
			Wessel-Kroeschell of Story
H-1427	H.F.	646	Heddens of Story
			Wessel-Kroeschell of Story
H-1428	H.F.	5 90	Isenhart of Dubuque
$\overline{\text{H-}1429}$	H.F.	590	Isenhart of Dubuque
H-1430	H.F.	590	Isenhart of Dubuque
$\overline{\text{H-}1432}$	H.F.	590	Lukan of Dubuque
			*

<u>H-1433</u>	<u>H.F.</u>	<u>590</u>	Isenhart of Dubuque
<u>H-1434</u>	H.F.	482	Pettengill of Benton
H-1435	S.F.	130	Arnold of Lucas

On motion by Upmeyer of Hancock the House adjourned at 5:33 p.m., until 8:30 a.m., Wednesday, March 23, 2011.